

**Sixty-fourth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 6, 2015**

HOUSE BILL NO. 1399

(Representatives Looyzen, Beadle, Brabandt, Dockter, Kading, Klemin, Maragos, Ruby, Steiner)  
(Senators Casper, Larsen)

AN ACT to amend and reenact section 14-05-24.1 of the North Dakota Century Code, relating to termination of spousal support; to provide for a legislative management study; and to provide for application.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 14-05-24.1 of the North Dakota Century Code is amended and reenacted as follows:

**14-05-24.1. Spousal support.**

1. Taking into consideration the circumstances of the parties, the court may require one party to pay spousal support to the other party for any limited period of time in accordance with this section. The court may modify its spousal support orders.
2. Unless otherwise agreed to by the parties in writing, spousal support is terminated upon the remarriage of the spouse receiving support. Immediately upon remarriage, the spouse receiving support shall provide notice of the remarriage to the payor spouse at the last known address of the payor spouse.
3. Unless otherwise agreed to by the parties in writing, upon an order of the court based upon a preponderance of the evidence that the spouse receiving support has been habitually cohabiting with another individual in a relationship analogous to a marriage for one year or more, the court shall terminate spousal support.
4. Subsections 2 and 3 do not apply to rehabilitative spousal support.

**SECTION 2. LEGISLATIVE MANAGEMENT STUDY - SPOUSAL SUPPORT.** During the 2015-16 interim, the legislative management shall consider studying the types of spousal support ordered by the district courts and the desirability of providing statutory guidance for awards of spousal support. The legislative management shall report its findings and recommendations, together with any proposed legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

**SECTION 3. APPLICATION.** Subsection 2 of section 1 of this Act applies to any spousal support order, regardless of date of issuance, but applies only to spousal support payments accruing after the effective date of this Act. Subsection 3 of section 1 of this Act applies to any spousal support order, regardless of the date of issuance, but applies only to spousal support payments accruing after a court order for termination of spousal support.

Whisper H. Butler  
Speaker of the House

Allen W. Jensen  
President of the Senate

Bull J. Reich  
Chief Clerk of the House

Jane Schinner  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1399.

House Vote: Yeas 74 Nays 17 Absent 3

Senate Vote: Yeas 36 Nays 10 Absent 1

Bull J. Reich  
Chief Clerk of the House

Received by the Governor at 8:19 A. M. on April 27, 2015.

Approved at 3:44 P. M. on April 27, 2015.

Jack Dalrymple  
Governor

Filed in this office this 27th day of April, 2015,  
at 4:37 o'clock P M.

Monica J. Jeger  
Secretary of State